

Appl No. 10/722,996
Atty Docket No. 7768MD
Response Dated June 20, 2005
Reply to Office Action of January 19, 2005

REMARKS

Claims 3-18 and 30-33 are now in the case.

Claim 30 has been amended to remove the phrase "an effective amount of" regarding the odor blocker and class I and/or class II aldehydes and adding ranges for the odor blocker and class I and/or class II aldehydes. Support for the amendment to claim 30 is found, at least, in Applicants' specification, page 10, lines 10-15.

The Rejection under 35 U.S.C. §112, first paragraph

Claims 3-5, 11, 15-18 and 30-33 have been rejected under 35 U.S.C. §112, first paragraph as failing to comply with the written description requirement. First, deletion of the phrase "and containing only low levels of acidic materials" in claim 30 was objected to as new matter. Applicants are unsure how to proceed. In the prior Office Action, this phrase was objected to as being indefinite (35 U.S.C. §112, second paragraph). If, in the Examiner's opinion, this language is unclear to one of ordinary skill in the art, then Applicants cannot understand how the language creates a requirement of the invention.

Secondly, the Office Action states that the hydrophobes and hydrophiles of claims 8-10 should be limited to those "which the specification provides clear support." Applicants respectfully contend that claims 8-10 are enabled by the specification. The terms "hydrophilic" and "hydrophobic" and their meanings are well known to those skilled in the art. Applicants submit that those skilled in the art of polymer chemistry can easily determine if portions of a block copolymer are hydrophilic or hydrophobic. Therefore, claims 8-10 are enabled as currently written.

The Rejection under 35 U.S.C. 103(a) over Trinh et al.


Claims 3-5, 11, 15-18 and 30-33 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Trinh et al. (U.S. Patent 5,714,137). Applicants respectfully traverse this rejection. The reference does not establish a *prima facie* case of obviousness since it does not teach or suggest all of Applicants' claim limitations. Specifically, Trinh et al do not teach or suggest using from about 0.0005 to about 1 weight percent of an odor blocker, and from about 0.01 to about 1 weight percent of a class I and/or class II aldehyde, as required by Applicants' amended claim 30. Therefore, Applicants contend that the claimed invention is unobvious and that the rejection should be withdrawn.

The Rejection under 35 U.S.C. 103(a) over Trinh et al. in view of Behan and Wilsch-Irrgang

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Claims 3-5, 11, 15-18 and 30-33 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Trinh et al. in view of Behan et al. (U.S. Patent 5,676,163) and Wilsch-Irrgang et al. (U.S. Patent 5,861,371). Applicants respectfully traverse this rejection. The references do not establish a *prima facie* case of obviousness since they do not teach or suggest all of Applicants' claim limitations. Specifically, none of the references teach or suggest using from about 0.01 to about 1 weight percent of a class I and/or class II aldehyde, as required by Applicants' amended claim 30. The Office Action indicated that the anisaldehyde of Trinh's Perfume Composition C is a class I aldehyde, as evidenced by Behan et al. Applicants contend that the percentage of class I and/or class II aldehyde of Applicants' amended claim 30 is not taught or suggested by the references. Trinh's Perfume Composition C contains 2 percent of the anisaldehyde. Perfume Composition C is added to two final compositions (Example IX and X). The percentage of anisaldehyde in Example IX would be about 0.0004. The percentage of anisaldehyde in Example X would be about 0.001. This is still 10 times lower than Applicants' lowest level of class I and/or class II aldehyde. Therefore, Applicants contend that the claimed invention is unobvious and that the rejection should be withdrawn.

Respectfully submitted,
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